

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

July 11, 2008

In the Matter of Richard Carusello

Docket No. WET-2008-033
DEP File No. SE 75-698
Truro

RECOMMENDED FINAL DECISION

The Petitioner, Dorothy Labossiere, and the Applicant, Richard Carusello, have filed a Stipulation of Voluntary Dismissal pursuant to 310 CMR 1.01(11)(d)(1). The project involves the construction of three pile-supported cottages, grading, and utilities on property in Truro, with an abutting lot owned by the Petitioner. Although the site is part of a barrier beach system and subject to coastal storm flowage, it is situated in a developed area between Routes 6A and Route 6 and currently contains a dwelling and associated structures. The dismissal will make final the Superseding Order of Conditions issued on March 14, 2008, which had affirmed the Order of Conditions issued by the Truro Conservation Commission on March 14, 2007.

Accordingly, I recommend that this appeal be dismissed as moot.

Pamela D. Harvey
Presiding Officer

NOTICE- RECOMMENDED FINAL DECISION

This decision is a Recommended Final Decision of the Presiding Officer. It has been transmitted to the Commissioner for her Final Decision in this matter. This decision is therefore not a Final Decision subject to reconsideration under 310 CMR 1.01(14)(e), and may not be appealed to Superior Court pursuant to M.G.L. c. 30A. The Commissioner's Final Decision is subject to rights of reconsideration and court appeal and will contain a notice to that effect.

Because this matter has now been transmitted to the Commissioner, no party shall file a motion to renew or reargue this Recommended Final Decision or any part of it, and no party shall communicate with the Commissioner's office regarding this decision unless the Commissioner, in her sole discretion, directs otherwise.